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EXECUTIVE DIRECTOR

Shari T. Veazey

November 14, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, District of Columbia 20554

*RE: Implementation of Section 621(a)(1) of the Cable Communications
Policy Act of 1984 as Amended by the Cable Television Consumer
Protection and Competition Act of 1992, MB Docket No. 05-311*

Dear Ms. Dortch,

The Mississippi Municipal League ("MML") appreciates the opportunity to file comments on the Second Further Notice of Proposed Rulemaking ("FNPRM") in the above-referenced docket. The MML's members comprise 292 towns and cities across Mississippi, and it provides a unified voice through legislative advocacy, training, and educational opportunities. Accordingly, we strongly oppose the tentative conclusions in the FNPRM that cable-related in-kind contributions are franchise fees and that local governments have no authority regarding cable operators' use of the rights of way to provide non-cable services.

The impact to member governments of the MML could be substantial. Many members, and especially smaller municipalities, base a portion of their budgets on incoming franchise fees. A reduction in such fees would certainly impact budgets across the board—from public works to fire and police protection. Many of our member municipalities offer informative programming to their citizens, including many senior citizens, through PEG programming. Thus, impacting such programming could prove crucial to informing the public, including those most vulnerable.

Franchise obligations such as PEG channels and local customer service obligations are more appropriately considered community benefits, not contributions to LFAs, and, like build-out obligations, should not be considered franchise fees. For example, we have some Mississippi Towns that are not paid any franchise fees but only receive free service to key municipal buildings in exchange for the use of the right of way. We also have some cities that have fiber connections and PEG channels. Granting



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cable companies the sole authority to unilaterally determine the market value of these services and to offset that value against the franchise fees cities and towns receive. If adopted, this will have a huge negative financial impact on Mississippi cities and towns and would be considered gross contractual interference by an agency of the Federal government with local government contracts and authority.

For the foregoing reasons, the MML asks that the Commission withdraw the FNPRM from consideration.

Respectfully submitted,

MISSISSIPPI MUNICIPAL LEAGUE

A handwritten signature in blue ink, reading "Shari J. Veazey".

Shari Veazey
Executive Director